

the beauty of the Easter story on this level, think of the hope that this celebration can bring to others who are grieving. I talked with one of my constituents on yesterday who lost his wife. I said: Come Eastertime, your wife knows your grief. She knows about your sorrow. And the beauty of the story is, you can see her again. Every year at this time I remember my beloved grandson, Michael, who died in a tragic accident in 1982. I know that he is in a better place, and my faith in the Lord carries me through my sorrow. I can visualize Michael stepping out of the tomb with Christ, and I know that he, too, is "alive." Hear these words of Trappist monk Henri Nouwen:

Easter does not make death less painful or our own grief less heavy. It does not make the loss less real, but Easter makes us see and feel that death is part of a much greater and much deeper event, the fullness of which we cannot comprehend, but which we know is a life-bringing event.

He goes on to say:

The best way I can express to you the meaning death receives in the light of the resurrection of Jesus is to say that the love that causes us so much grief and makes us feel so fully the absurdity of death is stronger than death itself. Love is stronger than death. The same love that makes us mourn and protest against death will now free us to live in hope.

So, Mr. President, let Easter be the time to remember that the tomb is empty, that those who have passed before us have been reborn and will live eternal life. Let us rejoice at this miracle and the miracle of God's love. As we hide Easter eggs for our children, our grandchildren, or even our great grandchildren, and help them search through the green and purple Easter grass for the last sticky marshmallow chick and a handful of jelly beans, let us not forget the gift that God gave us. As Jesus said in the third chapter of the Gospel of John, verse 16:

For God so loved the world, that he gave his only begotten Son, that whosoever believeth in him should not perish, but have everlasting life.

These are powerful words, and they are often used as words of persuasion, to bring others to Christ. God gave His only begotten Son . . . for us! What a powerful love that is!

While the Senate is in recess and the schools are closed for "spring break," I hope that those who are listening will take this time to recall this miracle of Easter. I continue to believe that the warp and woof of this great Nation are the deeply rooted religious beliefs of its people. Our religious beliefs, though diverse, our common faith in the Creator, remind all of us to look for the greater good, the higher, better part of ourselves and of others. The lessons differ, but the message is the same. Let us love one another. The resurrection of Jesus is the basis for the Christian belief that not only Jesus, but all

Christians, will triumph over death. In closing, I recall the words of William Jennings Bryan and his thoughts concerning Proof of Immortality:

If the Father deigns to touch with divine power the cold and pulseless heart of the buried acorn and to make it burst forth from its prison walls, will He leave neglected in the earth the soul of man, made in the image of his Creator? If He stoops to give to the rosebush, whose withered blossoms float upon the autumn breeze, the sweet assurance of another springtime, will He refuse the words of hope to the sons of men when the frosts of winter come? If matter, mute and inanimate, though changed by the forces of nature into a multitude of forms, can never be destroyed, will the imperial spirit of man suffer annihilation when it has paid a brief visit like a royal guest to this tenement of clay? No, I am sure that He who, notwithstanding His apparent prodigality, created nothing without a purpose, and wasted not a single atom in all His creation, has made provision for a future life in which man's universal longing for immortality will find its realization. I am as sure that we live again as I am sure that we live today.

Mr. President, let us celebrate these words of hope this Easter season. The tomb is empty and the soul of man will never, never die.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. L. CHAFEE). Without objection, it is so ordered.

INDEPENDENT COUNSEL ROBERT RAY

Mr. LEVIN. Mr. President, I rise tonight to speak in support of the remarks that were made earlier today by the distinguished Senator from Nevada, Mr. REID. Senator REID spoke eloquently about the need for Robert Ray, the independent counsel who assumed duties when Kenneth Starr resigned, to bring that investigation of the President to a close.

The report earlier this week in the Washington Post that Mr. Ray is increasing his budget and his staff in contemplation of a possible indictment of the President after the President leaves office is chilling. Senator REID is right to remind Mr. Ray that this is the United States and not a country such as the old Soviet Union where the abuse of the administration of law was used as a political weapon.

Mr. Ray apparently justifies the continuation of his office and his consideration of an indictment of the President because of his commitment to the principle that no one is above the law.

Certainly in this country that principle is fundamental. That was the theory behind establishing the inde-

pendent counsel law in the first place. But that principle has two other equally important applications. One is that it means Mr. Ray himself is not above the law; and, two, while it is imperative that top Government officials be treated no better than private citizens, it is equally important that they should also be treated no worse.

The independent counsel law requires that the independent counsel operate as a normal U.S. attorney and that the independent counsel comply with the policies and practices of the Department of Justice.

We require this in the law because we do not want our top Government officials to be treated worse than a private citizen. Yes, we want to make sure our top Government officials do not get preferential treatment, but equally important, we do not want them to be treated unfairly either.

Mr. Ray projects he is going to spend an additional \$3.5 million in the next 6 months sifting through the evidence to determine whether or not he should indict the President for perjury in a civil case.

Do any of us think that a U.S. attorney would spend 2 years and tens of millions of dollars investigating a possible perjury charge in a civil suit to begin with? Does anyone think a U.S. attorney would then ask for or receive six new attorneys, additional investigators and contractors, and an additional \$3.5 million of taxpayers' money on top of the 40 staff people and above the \$52 million that the office had already spent to investigate?

The facts in the Lewinsky case have been sliced and diced and parsed and sifted through over and over again. They have been brutally revealed and thoroughly reviewed detail by detail.

If Mr. Ray is not to be above the law himself, and if he is to abide by the principle he claims to hold dear, then he should do what a U.S. attorney would do in a case like this involving a private citizen—bring it to a close.

The purpose of the independent counsel law is to fairly investigate top Government officials so they are treated no better and no worse than a private citizen. It is, instead, being used to pillory.

Nineteen months ago, Mr. Ray's predecessor, Kenneth Starr—surely a dogged independent counsel—represented to Congress that he was going to end the investigation "soon." That was Mr. Starr's word, "soon."

Mr. Starr represented the following to the House of Representatives on September 11, 1998:

All phases of the investigation are now nearing completion. This Office will soon make final decisions about what steps to take, if any, with respect to the other information it has gathered.

Those were Mr. Starr's words 19 months ago when he made the representation to the Congress of the

United States and the people of the United States that his office would soon make final decisions about what steps to take, if any.

Mr. Ray's statement, as reported in the Washington Post, that this is still an open investigation and that he wants six new attorneys and \$3.5 million more belies Mr. Starr's formal representation to the Congress and to the people. In commenting on Mr. Ray's latest statements, Pulitzer Prize winning columnist Maureen Dowd noted that even Javert, the driven policeman in the book "Les Misérables," who was singularly focused on capturing Jean Valjean "jumped into the Seine at some point."

I am not urging Mr. Ray to jump into the Potomac. I am saying—and I am confident that this is the opinion of the majority of the people in our country—that Mr. Ray needs to bring this investigation to a close and to do it now.

The Lewinsky matter is over. The Paula Jones case is over. They were traumatic times for the country. The public has suffered. The President has been punished. It is time to move on. To extend this investigation with new attorneys and more money and more time is to punish the country. The country doesn't deserve it.

Mr. President, I ask unanimous consent that today's editorial from the New York Times entitled "Reining in Robert Ray" and today's op-ed piece from the Washington Post by Richard Cohen entitled "Independent Counsel Overkill" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 13, 2000]

REINING IN ROBERT RAY

There are worrying signs that Robert Ray, the career prosecutor who succeeded Kenneth Starr as independent counsel investigating President Clinton, shares his clumsy predecessor's problem in winding up an investigation. Mr. Ray at this point should have a concise two-point agenda—to deliver a report summing up the findings of his office, and then go home. Instead he is beefing up his staff. Moreover, he makes it no secret that he is actively considering indicting Mr. Clinton after he leaves office in connection with the same issues that were argued at the impeachment trial last year.

In other words, Mr. Ray intends to drag out his mandate nine more months. "It is an open investigation," he told The Washington Post this week. "There is a principle to be vindicated, and that principle is that no person is above the law, even the president of the United States."

Mr. Ray is right about that principle, and we have consistently favored vigorous inquiries into the president's personal and campaign finances and his truthfulness under oath.

But respect for the rule of law does not require a suspension of reasonable prosecutorial discretion.

It would be a disservice to the Constitution to set a new precedent of indicting former presidents over offenses adjudicated in the context of impeachment that received an

adequate and punishing airing in the Senate trial. Responding to the new stirrings in the independent counsel's office, Vice President Gore said yesterday that Mr. Clinton had no intention of pardoning himself should he be indicted while president, or accepting a pardon from his successor. That is laudable, if true. Yet the possibility of criminal charges against the president should not be on the table at this late date. The nation has moved on, and once he has completed his overdue reports, so should Mr. Ray.

[From the Washington Post, Apr. 13, 2000]

INDEPENDENT COUNSEL OVERKILL

(By Richard Cohen)

Something happens to an ordinary man when he becomes an independent counsel. His chest must swell, his biceps must bulge and he probably cannot pass a phone booth without feeling the urge to change his clothes. Such a man is Robert W. Ray, the successor to Ken Starr, who earlier this week told The Post he just might indict Bill Clinton after the president leaves office. Stay in that phone booth, Bob.

Ray's warning is backed by a reconstitution of the office. Six new lawyers have been hired. A new investigator has been brought on board. An FBI agent has been detailed to the staff, and Ray plans to spend even more money in the next six months than he has in the last—for a total of \$6.6 million. From what he says and the way he has been acting, it seems Ray might put the cuffs on Clinton just as the new president says, "So help me God."

Why? "There is a principle to be vindicated," he told The Post's David Vise, "and that principle is that no person is above the law, even the president of the United States." This, of course, is the sort of thing you find chiseled over courthouse doors, contradicted only by what transpires in the courthouse itself. Some people are above the law. The envelope, please.

The first is Richard Nixon. Guilty of obstruction of justice, of using our very government to cover up his crimes and lying so often about so much that I don't think he spoke the truth for his entire last year in office, he nonetheless was given a deal: resign the presidency and you will not be indicted. Just to make the deal sweeter, Gerald Ford, his successor, pardoned him.

Next comes Spiro T. Agnew, Nixon's first vice president. A more mendacious fellow never occupied that office. He extorted. He accepted bribes. He lied. Yet he too was allowed to resign his office, pay a wee fine—and go his merry way. An ordinary man would have gone to jail. Agnew too was above the law.

These are not happy facts, but they are true nevertheless. They reflect a coming to terms with reality that, in the end, persuaded prosecutors to abandon their plans to seek indictments. The stakes were greater than the fate of a single man and, besides, some felt Nixon and Agnew had been punished enough. They were ruined men.

The reality is that Clinton, too, has already paid a penalty. He is only the second president to be impeached and he has undergone the most mortifying and virtually molecular examination of his private life. To most Americans, the matter must seem closed. It sure seemed that way to Richard Posner, the federal judge whose wisdom was recently enlisted in a vain attempt to settle the government's case against Microsoft.

Posner is the author of a book about the Clinton investigation, "An Affair of State," for which he was criticized by Ronald

Dworkin, a New York University law professor who is as eminent on the left as Posner is on the right. Dworkin wrote recently in the New York Review of Books that as a sitting judge, Posner should never have written about an "impending" case.

Nonsense, replied Posner in the current issue. "A prosecution of President Clinton, while conceivable as a theoretical possibility, is not imminent and in fact will almost certainly never happen." He even restated it by saying, "Almost no issue of policy has a smaller probability of someday becoming a legal case." Clearly, Robert Ray has not read Posner.

But he should. We all know Clinton lied. We all believe he perjured himself, and I, for one, do not excuse him for any of it. A president, of all people, should not lie under oath. Still, it has all been played out, talked to death in the House and Senate, yakked to smithereens on television and bound for posterity by Ken Starr.

Ray can indict Clinton anywhere he has a grand jury. But Washington's the town where the president works, where he lives and where he was deposed. If there was a crime, Washington's the crime scene. A trial there would mean a jury pool drawn from a majority black city where, in most neighborhoods, no one has seen a Republican since the Garfield administration. But no matter where he was tried, it likely would be by people who feel that a person who lies about sex, while technically wrong, is guilty only of committing common sense. A conviction is out of the question.

Give it up Bob. Your best way of serving the country is to close down your office, lock the door and put Clinton behind you.

Much of the country already has.

ONE YEAR OF COLUMBINE

Mr. LEVIN. Mr. President, one week from today, we will memorialize the worst school shooting tragedy in our nation's history. The very mention of Columbine High School strikes a nerve with the American public. It reminds us of a horrendous scene of children, screaming and running from their assailants, while SWAT-teams descended on to their otherwise calm neighborhood. On April 20, this year the nation will remember, but for the students of Columbine, those few hours of April 20, 1999 are replayed over and over again every day in their minds.

The survivors of Columbine revisit the massacre daily. They are reminded of that day by the fragments of ammunition in their bodies, or the scars cut deep in to their skin. When they see trenchcoats, they shudder, when they hear or smell fireworks, they get flashbacks. At such young ages, they have endured unimaginable physical and emotional pain. They have been poked and prodded by nurses, physicians, surgeons, physical, occupational and recreational therapists, and clinical psychologists. Some of them have found peace, others are still angry and frightened. A few can not tell their stories but many can tell them over and over again.

For Columbine-survivor Valeen Schnurr, "The nights are always the